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Amended

The search was performed using the computer program BLAST or BLAST2 [Altschul et al., Methods in Enzymology, 266:460-480 (1996)] as a comparison of the UCP3 protein sequences to a 6 frame translation of the EST sequences. Those comparisons resulting in a BLAST score of 70 (or in some cases, 90) or greater that did not encode known proteins were clustered and assembled into consensus DNA sequences with the program AssemblyLIGN and MACVECTOR™ (Oxford Molecular Group, Inc.). --

In the paragraph on page 64, lines 28-31 - page 65, lines 1-5, the text has been amended as follows:

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-- Quantitative reverse-transcriptase polymerase chain reaction (RT-PCR) was used to determine the amount of UCP4 mRNA in the harvested tissues. RT-PCR was performed using mRNA samples. [Heid et al., Genome Research, 6:986-994 (1996); Gibson et al., Genome Research, 6:995-1001 (1996)]. Generally, to carry out quantitative RT-PCR, primers and probes specific to UCP4 were used (TAQMAN™ Instrument, PE Biosciences, Foster City, California). Values were corrected for mRNA loading using β -actin mRNA abundance as loading control. The following primers and probes were used: --

IN THE CLAIMS:

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1. (Once Amended) An isolated nucleic acid molecule comprising (a) a DNA molecule encoding a UCP4 polypeptide comprising the sequence of amino acid residues from about 1 to about 323 of Figure 1 (SEQ ID NO: 1), or (b) the complement of the DNA molecule of (a).

2. (As filed) The isolated nucleic acid molecule of claim 1 comprising the sequence of nucleotides from about 40 to about 1011 of Figure 2 (SEQ ID NO: 2).

3. (As filed) The isolated nucleic acid molecule of claim 1 comprising the nucleotide sequence of Figure 2 (SEQ ID NO: 2).

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4. (Once Amended) An isolated nucleic acid molecule comprising DNA encoding a UCP4 polypeptide, wherein said DNA hybridizes under moderately

stringent conditions to the complement of the nucleic acid comprising nucleotides from about 40 to about 1011 of Figure 2 (SEQ ID NO: 2).

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5. (Once Amended) An isolated nucleic acid molecule comprising (a) a DNA molecule encoding the same mature polypeptide encoded by the cDNA in ATCC Deposit No. 203134 (DNA 77568-1626), or (b) the complement of the DNA molecule of (a).

6. (As filed) The isolated nucleic acid molecule of claim 5 comprising DNA encoding the same mature polypeptide encoded by the cDNA in ATCC Deposit No. 203134 (DNA 77568-1626).

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7. (Twice Amended) An isolated nucleic acid molecule comprising (a) DNA encoding a polypeptide having at least an 80% sequence identity to the sequence of amino acid residues from about 1 to about 323 of Figure 1 (SEQ ID NO: 1), wherein said encoded polypeptide increases or decreases mitochondrial membrane potential or metabolic rate, or (b) the complement of the DNA of (a).

8. (As filed) The isolated nucleic acid molecule of claim 7 comprising (a) DNA encoding a polypeptide comprising the sequence of amino acid residues from about 1 to about 323 of Figure 1 (SEQ ID NO: 1), or (b) the complement of the DNA of (a).

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9. (Once Amended) An isolated nucleic acid molecule comprising (a) DNA encoding a polypeptide scoring at least 80% positives when compared to the sequence of amino acid residues from about 1 to about 323 of Figure 1 (SEQ ID NO: 1), wherein said encoded polypeptide increases or decreases mitochondrial membrane potential or metabolic rate, or (b) the complement of the DNA of (a).

10. (As filed) A vector comprising the nucleic acid of claim 1.

11. (As filed) The vector of Claim 10 operably linked to control

sequences recognized by a host cell transformed with the vector.

12. (As filed) A host cell comprising the vector of Claim 11.

13. (As filed) The host cell of Claim 12, wherein said cell is a CHO cell.

14. (As filed) The host cell of Claim 12, wherein said cell is an *E. coli*.

15. (As filed) The host cell of Claim 12, wherein said cell is a yeast cell.

16. (As filed) A process for producing a UCP4 polypeptide comprising culturing the host cell of Claim 12 under conditions suitable for expression of said UCP4 polypeptide and recovering said UCP4 polypeptide from the cell culture.

44. (As filed) The isolated nucleic acid of claim 7 wherein said encoded polypeptide has at least a 90% sequence identity to the sequence of amino acid residues from about 1 to about 323 of Figure 1 (SEQ ID NO:1).

45. (As filed) The isolated nucleic acid of claim 7 wherein said encoded polypeptide has at least a 95% sequence identity to the sequence of amino acid residues from about 1 to about 323 of Figure 1 (SEQ ID NO:1).

Please cancel claim 46 without prejudice.